

TWENTY-FIRST DAY.

Senate Chamber,
Austin, Texas,
February 6, 1935.

The Senate met at 10 o'clock a. m., pursuant to adjournment, and was called to order by Lieutenant Governor Walter F. Woodul.

The roll call disclosed a quorum, the following Senators being present:

Beck.	Neal.
Blackert.	Oneal.
Burns.	Pace.
Collie.	Poage.
Cotten.	Rawlings.
Davis.	Redditt.
DeBerry.	Regan.
Duggan.	Sanderford.
Fellbaum.	Shivers.
Hill.	Small.
Holbrook.	Stone.
Hopkins.	Sulak.
Hornsby.	Van Zandt.
Hughston.	Westerfeld.
Martin.	Woodruff.
Moore.	

Prayer by the Chaplain.

Further reading of the Journal was dispensed with on motion of Senator Hill.

Petitions and Memorials.

(See Appendix.)

Committee Reports.

(See Appendix.)

Minutes of Committees' Meetings.

(See Appendix.)

Speech.

Senator Holbrook spoke on the subject of Local Self Government vs. Federal Control.

Motion to Extend Time.

The Chair informed Senator Holbrook that under the rules his time had expired.

Senator Hill asked unanimous consent that Senator Holbrook's time be extended fifteen minutes.

Unanimous consent was granted.

Bills and Resolutions.**Senate Bill No. 240.**

By Senators Poage, Martin:

S. B. No. 240, A bill to be entitled "An Act to more certainly identify cotton when baled; requiring certain

marks to be placed thereon at the time of ginning and baling and providing a penalty therefor, and to prevent the removal of said marking and identification and to provide a penalty therefor; and to provide rules of evidence for the identification of the ginner of cotton, and declaring an emergency."

Read and referred to the Committee on Agricultural Affairs.

Senate Bill No. 241.

By Senators Poage, Martin:

S. B. No. 241, A bill to be entitled "An Act to prohibit the inclusion of moisture or other foreign substance in the ginning and baling of cotton or the insertion thereof in a bale of cotton after ginning, providing penalties for the violation thereof, and declaring an emergency."

Read and referred to the Committee on Agricultural Affairs.

Senate Bill No. 242.

By Senators Westerfeld, Rawlings:

S. B. No. 242, A bill to be entitled "An Act to amend Article 2317 of the Revised Civil Statutes of Texas of 1925, as amended by Act of the Forty-third Legislature, approved March 10, 1933, relating to the administration of the affairs of private corporations in receivership, by providing that corporations organized and existing under Section 68 of Article 1302, Chapter 1 of Title 32, and under Title 112, of the Revised Civil Statutes of Texas, shall be exempt from certain of its provisions; and declaring an emergency."

Read and referred to the Committee on Civil Jurisprudence.

Senate Bill No. 243.

By Senator Westerfeld:

S. B. No. 243, A bill to be entitled "An Act to amend Chapter 2, Title 42, R. S. 1925, by amending Articles 2007 and 2008, and adding two new Articles 2008a and 2008b, regulating pleas challenging the venue of causes, the contest of said pleas, and procedure relating thereto, also the trial of such contest, and appeals from judgments sustaining or overruling such pleas, prescribing the effect of such appeal on the main cause, and providing that such plea shall not prevent the court in which the cause is pending, for sufficient cause, to enter all necessary orders for the preservation of the subject-matter of the litigation, or its status

quo, and declaring an emergency."

Read and referred to the Committee on Civil Jurisprudence.

Senate Bill No. 244.

By Senators Collie, Beck, Poage:

S. B. No. 244, A bill to be entitled "An Act amending Article 710 of the Criminal Procedure of the State of Texas, and declaring an emergency."

Read and referred to the Committee on Criminal Jurisprudence.

Senate Bill No. 245.

By Senators Collie, Beck, Poage, Rawlings:

S. B. No. 245, A bill to be entitled "An Act requiring defendant after receiving a suspended sentence to make reports to the trial court; providing for the revocation of said suspended sentence in certain instances; providing for the arrest of said defendant; authorizing the trial court to pronounce sentence upon the defendant; providing for the construction of this Act, and declaring an emergency."

Read and referred to the Committee on Criminal Jurisprudence.

Senate Bill No. 246.

By Senator Collie:

S. B. No. 246, A bill to be entitled "An Act authorizing and empowering the individual members of the Board of Insurance Commissioners, and the Board, to assess penalties for the violation of the insurance laws of this State and orders made pursuant thereto; providing for investigations, for notice for hearings, and for an appeal to the courts on the part of any person or persons aggrieved; providing that the law shall be cumulative of other insurance laws making the same applicable to all types of insurance carriers and their agents, including stock companies, mutual companies, mutual assessment companies, lloyds and reciprocals; providing that if any part of the Statute be declared unconstitutional the other portions shall not be thereby affected; and declaring an emergency."

Read and referred to the Committee on Insurance.

Senate Resolution No. 34.

Senators Beck and Holbrook sent up the following resolution:

Whereas, It is reported that there will be a vacancy in the United States

Circuit Judgeship in Honolulu, Hawaii, on February 23, 1935, this being by reason of the fact that the term of the present judge, A. M. Christy, expires on that date; and,

Whereas, Miss Jean Vaughan, a daughter of a former distinguished member of this body, is at the present time Assistant United States Attorney in Honolulu, having been appointed to that high post by Attorney General Cummings of the United States last August; and,

Whereas, Miss Vaughan, by reason of her eminent qualifications and her experience as a practicing attorney and her long and arduous work in behalf of the Democratic Party, fits herself for the judgeship at that place; therefore, be it

Resolved, by the Senate of Texas, That in its opinion Miss Jean Vaughan should be appointed to fill the position as Judge of the First Circuit in Honolulu to succeed Judge Christy when his term expires on February 23, 1935; further be it

Resolved, That a copy of the resolution be sent to each of our United States Senators from Texas and each Congressman with the hope that each of them will exert their energy in behalf of Miss Vaughan for that high office.

**BECK,
HOLBROOK.**

Read.

Senator Holbrook asked unanimous consent that the Senate rule requiring resolutions to be referred to a committee be suspended, and that S. R. No. 34 be taken up and considered at this time.

Unanimous consent was granted.

Senator Holbrook moved the adoption of S. R. No. 34.

The motion prevailed by viva voce vote.

Senate Resolution No. 35.

Senator Shivers sent up the following resolution:

Whereas, We, the Senate pages and messengers, appreciate the responsibility placed upon us by the members of the Senate; and,

Whereas, We feel as if we are a regular cog in the wheel of the business in the Senate; therefore, be it

Resolved, by the Junior Senate of the State of Texas, That the pages' and messengers' pictures shall be placed with the picture of the State Senate; be it further

Resolved, That a copy of this reso-

lution be read by the Secretary of the Senate in the presence of a quorum of the Senate.

SHIVERS.

Read and referred to the Committee on Civil Jurisprudence.

Senate Resolution No. 36.

Senator Burns sent up S. R. No. 36.

Senator Moore asked unanimous consent that the names of all the Senators be added to the resolution.

Unanimous consent was granted.

S. R. No. 36 was adopted by a rising vote.

Senate Bill. No. 44.

Senator Burns moved that S. B. No. 44 be printed on minority report. Pending.

Executive Session.

Senator Oneal stated that the time set for executive session had arrived. The chamber was cleared and the doors locked.

After Executive Session.

The Secretary of the Senate informed the Journal Clerk that the following action had been taken in Executive Session:

Committee Room,

Austin, Texas, Feb. 4, 1935.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Governor's Nominations, to whom was referred the following appointment,

Have had the same under consideration, and I, as chairman of said Committee, am instructed to report same back to the Senate with the recommendation that it be in all things confirmed:

To be Chairman of the Texas Racing Commission:

Honorable Guy L. Waggoner of Tarrant County for the next ensuing statutory term.

ONEAL, Chairman.

Bill Referred.

H. B. No. 135, referred to the Committee on Banking.

Resolution Signed.

The Chair, Lieutenant Governor Walter F. Woodul, gave notice of signing, and did sign, in the presence

of the Senate, after its caption had been read, the following resolution:

H. C. R. No. 21.

Message From the House.

The Chair recognized the Door-keeper, who introduced a messenger from the House with the following message:

Hall of the House of Representatives,
Austin, Texas, Feb. 6, 1935.

Hon. Walter F. Woodul, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bill:

H. B. No. 135, A bill to be entitled "An Act to amend Section 1 of an Act passed by the Forty-third Legislature of the State of Texas, and being Senate Bill No. 561, Chapter 160, and published at length in the General Laws, Regular Session of the Forty-third Legislature, at pages 406 to 407, etc., and declaring an emergency."

Respectfully submitted,

LOUISE SNOW PHINNEY,

Chief Clerk, House of Representatives.

Senate Bill No. 44.

Pending business was Senator Burns' motion to print on minority report S. B. No. 44.

The motion prevailed by the following vote:

Yeas—19.

Burns.	Neal.
Collie.	Poage.
Cotten.	Rawlings.
Davis.	Redditt.
Fellbaum.	Sanderford.
Hill.	Shivers.
Hornsby.	Sulak.
Hughston.	Westerfeld.
Martin.	Woodruff.
Moore.	

Nays—12.

Beck.	Oneal.
Blackert.	Pace.
DeBerry.	Regan.
Duggan.	Small.
Holbrook.	Stone.
Hopkins.	Van Zandt.

Senate Bill No. 90.

The Chair laid before the Senate on its second reading the following bill which had been set for special order:

By Senator Hornsby:

S. B. No. 90, A bill to be entitled "An Act providing for the issuance of Three Million Five Hundred Thousand Dollars (\$3,500,000.00) of Texas Relief Bonds, Fourth Series, under Section 51-a, of Article 3 of the Constitution of the State of Texas; and declaring an emergency."

Senator Poage moved the adoption of the committee amendment.

The motion prevailed by viva voce vote.

Pending.

Motion to Adjourn.

Senator Sanderford at 12:30 o'clock p. m. moved that the Senate adjourn until 10:00 o'clock a. m. Thursday.

Motion to Recess.

Senator Woodruff moved, as a substitute, that the Senate recess until 2:00 o'clock p. m. today.

The motion to adjourn prevailed by viva voce vote.

APPENDIX.

Committee on Engrossed Bills.

Committee Room,
Austin, Texas, Feb. 5, 1935.
Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Engrossed bills, have had S. B. No. 154 carefully examined and compared and find same correctly engrossed.

DAVIS, Chairman.

Committee Room,
Austin, Texas, Feb. 5, 1935.
Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 118 carefully examined and compared and find same correctly engrossed.

DAVIS, Chairman.

Committee Room,
Austin, Texas, Feb. 5, 1935.
Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 157 carefully examined and compared and find same correctly engrossed.

DAVIS, Chairman.

Committee Reports.

Committee Room,
Austin, Texas, Feb. 5, 1935.
Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred S. B. No. 42, A bill to be entitled "An Act amending Article 5449, 1925 Civil Statutes, so as to provide that when any abstract of judgment has been recorded and indexed, as provided in Article 5448, 1925 Civil Statutes, it shall, from the date of such record and index, operate as a lien upon all of the real estate of the defendant situated in the county where such record and index are made and upon all real estate which defendant may thereafter acquire, situated in said county during the life of the judgment, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, as amended, and be printed.

SMALL, Chairman.

Committee Amendment.

At the end of Sec. 1 add the following:

Provided however, this Act shall not be retroactive as to liens that have become dormant prior to its enactment.

Adopted.

Committee Room,
Austin, Texas, Feb. 5, 1935.
Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred S. B. No. 12, A bill to be entitled "An Act creating a cause of legal action against a man for support of his wife or minor child; defining the same; giving remedies; providing a jurisdiction and procedure; declaring the remedies here given to be cumulative of others; repealing all laws in conflict therewith, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

SMALL, Chairman.

Committee Room,
Austin, Texas, Feb. 5, 1935.
Hon. Walter F. Woodul, President of
the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred S. B. No. 13, A bill to be entitled "An Act regulating petitions in suits for divorce to require such petitions to state whether there are children under sixteen years of age, and if so, to give full information as to such minors making it the duty of the courts having jurisdiction of such suits to inquire into the status of such children, if divorce be granted; empowering such courts to make orders and decrees for their support and maintenance until they reach sixteen years of age; to determine and fix the amounts to be paid, the time of payment, to whom to be made, to have authority to enforce all decrees by contempt proceedings, and to have control of such decrees, to alter them when justice requires, to ascertain the ability to pay, to enforce the duty of a father to support his children after divorce, presenting the procedure, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

SMALL, Chairman.

Committee Room,
Austin, Texas, Feb. 5, 1935.
Hon. Walter F. Woodul, President of
the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred S. B. No. 15, A bill to be entitled "An Act amending Article 3369, Revised Civil Statutes, 1925, as amended by an Act of the Forty-third Legislature, Third Called Session, approved September 26, 1934, so as to harmonize same with Article 3326 and make it clear that letters testamentary under a domestic or foreign will shall not be issued after four years from death of testator except in a case where application for probate and for letters was filed in same court within the four-year period aforesaid and actual probate thereof was delayed, without fault or negligence of applicant, until after expiration of such period; and repealing all laws and parts of laws in conflict; and declaring an emergency.

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

SMALL, Chairman.

Committee Room,
Austin, Texas, Feb. 5, 1935.
Hon. Walter F. Woodul, President of
the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred S. B. No. 26, A bill to be entitled "An Act to amend Articles 1847 and 1848, Chapter 3, Title 39, of the Revised Statutes of 1925, as amended by Chapter 64, page 98, of the Acts of the Regular Session of the Forty-second Legislature, so as to provide for the filing of records in the order received in the Court of Civil Appeals, and for setting of cases for submission in said court and for notice thereof to the parties of the receipt of the record and instruments by the clerk and the date set for submission, and so as to provide for time for filing briefs in the Court of Civil Appeals, and authorizing the granting of further time for filing briefs in said court, and for extension of time for submission of cases in said court, and repealing Article 2283 of the Revised Statutes of 1925, and repealing all laws in conflict with this Act; and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

SMALL, Chairman.

Committee Room,
Austin, Texas, Feb. 5, 1935.
Hon. Walter F. Woodul, President of
the Senate.

Sir: We, your Committee on Insurance, to whom was referred

S. B. No. 46, A bill to be entitled "An Act amending Article 5058 of the Revised Civil Statutes of Texas, 1925, so as to prohibit the issuing, signing, countersigning, or delivering of certain insurance policies except through regularly licensed local recording agents as the term is defined in Chapter 96, page 150, Acts of the Forty-second Legislature, 1931, and requiring notice of inability to insure to be filed with the Board of Insurance Commissioners but exempting companies not operating

through local recording agents and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

COLLIE, Chairman.

Committee Room,
Austin, Texas, Feb. 5, 1935.
Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Insurance, to whom was referred

S. B. No. 173, A bill to be entitled "An Act to amend Article 5048 of the Revised Civil Statutes of the State of Texas, as adopted in 1925, so as to provide that any insurance money payable under a policy or policies issued under this article shall be applied as far as necessary to cancel any debt against the assured held by the beneficiary or growing out of any transaction between assured and the beneficiary, provided the beneficiary is reimbursed for all premiums and interest paid, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

COLLIE, Chairman.

Committee Room,
Austin, Texas, Feb. 5, 1935.
Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Insurance, to whom was referred

S. B. No. 47, A bill to be entitled "An Act amending Article 4894 of the Revised Civil Statutes of 1925, so as to prohibit the reinsuring of the liability of a company not licensed to transact business in the State of Texas by a company licensed to transact business in the State of Texas and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed, with committee amendment.

COLLIE, Chairman.

Committee Amendment.

Amend S. B. No. 47 by adding to the sentence ending on line 23 of Section 1, the following:

"Except, however, an admitted company may reinsure the liability of a non-admitted company on policies covering on property in Texas when such a non-admitted company is retiring from business and is reinsuring all of its outstanding policies in Texas."

Committee Room,
Austin, Texas, Feb. 5, 1935.
Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Insurance to whom was referred

S. B. No. 147, A bill to be entitled "An Act defining advisory rating corporation and/or Insurance Counselor, providing for the obtaining of license, contents of applications, examinations of Insurance Counselor, fees to be paid and renewals, prohibiting certain persons from holding same, and from obtaining fee from unlawful company, providing for misrepresentations, expiration and revocation of Certificate of Authority, notice, appeal from order exempted and providing penalty."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be printed, with committee amendment.

COLLIE, Chairman.

Committee Amendment.

Amend S. B. No. 147, by adding after the last word in Section 14, the following:

"This Act shall not be construed to prevent dissemination of information by any person, firm, or corporation, to the assured as to the policy forms, rates, schedule of rates, loss and expense ratio published by the Insurance Commission of Texas."

Committee Room,
Austin, Texas, Feb. 5, 1935.
Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred

S. B. No. 146, A bill to be entitled "An Act to create the Department of Public Safety of the State of Texas; and the Public Safety Commission; providing for the appointment of members of the Public Safety Commission, and for the organization of the Commission and of the Department, etc.; appropriating moneys to

put this Act into force and effect; declaring the rule that the remainder of the Act shall not be affected by the unconstitutionality or invalidity of any part thereof; and for other purposes; and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be not printed.

PACE, Chairman.

Committee Room,

Austin, Texas, Feb. 5, 1935.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred

S. B. No. 135, A bill to be entitled "An Act amending Chapter 18, Acts of the Forty-third Legislature, Second Called Session, page 54 (Article 3886-B), providing for the maximum compensation of assistant county attorneys and other employees of the county attorney in all counties in the State having a population of one hundred thousand and one (100,001) inhabitants and not more than one hundred and fifty thousand (150,000) inhabitants and containing two cities of fifty thousand (50,000) population or more each according to the last Federal census of 1930; providing for the compensation of the the assistant county attorneys and other employees of the county attorneys in such counties; repealing all laws and part of laws in conflict herewith; providing that this Act shall become effective from and after its passage, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be not printed.

PACE, Chairman.

Committee Room,

Austin, Texas, Feb. 5, 1935.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred

S. B. No. 125, A bill to be entitled "An Act providing for the authorizing of the county commissioners' court in each county of the State of Texas to purchase machine guns, sub-machine guns, riot guns, tear gas bombs and other paraphernalia of like character for the use of the sheriff, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be printed.

PACE, Chairman.

Committee Room,

Austin, Texas, Feb. 5, 1935.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred

S. B. No. 82, A bill to be entitled "An Act defining and regulating the practice of professional engineering in the State of Texas; providing for the creation of the State Board of Registration for Professional Engineers and prescribing their powers and duties."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be printed.

PACE, Chairman.

Committee Room,

Austin, Texas, Feb. 5, 1935.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred

S. B. No. 11, A bill to be entitled "An Act amending Title 76, Revised Civil Statutes of 1925 by adding a new section thereto to be known as Article 4670a, making it mandatory on all courts of record in which petitions for injunctions have been granted to advance such injunction hearings to the first place on the docket of such court and requiring a final determination of such injunction before disposing of any other business then pending before such court; providing that no injunction against the enforcement of any revenue law in this State shall be granted until such person applying for such injunction shall have paid to the Clerk of the Court the amount of taxes then due and providing for the continuance of such injunction only for such period of time as said applicant shall continue to pay in to the Clerk of the Court the amount of taxes due and involved in such litigation until such suit has been finally disposed of by the Court of last resort and providing that no person shall benefit by any injunction other than the person applying therefor and making said injunction inapplicable as to any officers except as such officers may act with reference to said ap-

plicant, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, with committee amendment No. 1 and be printed.

PACE, Chairman.

Committee Amendment No. 1.

Amend S. B. No. 11 by inserting after "said court" in line 3, page 2, the following words:

"as said court may deem necessary."

Committee Room,
Austin, Texas, Feb. 5, 1935.
Hon. Walter F. Woodul, President of the Senate.

Sir: We, a majority of your Committee on State Affairs, to whom was referred

S. B. No. 44, A bill to be entitled "An Act amending Article 7046 of the Revised Civil Statutes of the State of Texas for 1925, providing that a poll tax of One Dollar (\$1.00) only, shall be collected on every person between the ages of 21 and 60 years; making certain exceptions; and declaring that no poll tax shall be levied for General Revenue purposes, and that no county shall levy a poll tax, and providing where unorganized counties may pay, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do not pass.

PACE, Chairman.

Committee Room,
Austin, Texas, Feb. 5, 1935.
Hon. Walter F. Woodul, President of the Senate.

Sir: We, a minority of the Committee on State Affairs, to whom was referred

S. B. No. 44, A bill to be entitled "An Act amending Article 7046, Revised Civil Statutes of State of Texas for 1925, providing that a poll tax be One (\$1.00) Dollar only shall be collected on every person between the ages of twenty-one (21) and sixty (60) years, making certain exceptions and declaring that no poll tax shall be levied for general revenue purposes, and that no county shall levy a poll tax, and providing where unorganized counties may pay, and declaring an emergency."

Have had the same under consideration, and beg leave to dissent from the majority report on said bill and recommend that said bill do pass, and be printed.

COLLIE,
REDDITT,
COTTEN,
SULAK.

Minutes of Committee Meetings.

Minutes of Committee Meeting of Agricultural Affairs, Held February 5, 1935, Regular Meeting:

Present: DeBerry, chairman, Sulak, Small, Poage, Beck, Duggan, Stone, Neal, Hill, Hughston.

Absent: Van Zandt, excused on account of important business.

Committee adjourned subject to call of the Chair.

DICK DeBERRY, Secretary.

Minutes of Committee on State Affairs Held February 5, 1935, Regular Meeting:

Present: Pace, Blackert, Collie, Cotten, DeBerry, Fellbaum, Holbrook, Hopkins, Hornsby, Martin, Moore, Oneal, Rawlings, Redditt, Regan, Shivers, Small, Stone, Sulak.
Absent: Hughston (excused).

S. B. No. 11 was reported favorably by viva voce vote with the recommendation it pass with committee amendment and be printed.

S. B. No. 44 was reported adversely by the following vote:

Yeas: Collie, Cotten, Hornsby, Moore, Redditt, Sulak.

Nays: Pace, Blackert, DeBerry, Holbrook, Hopkins, Oneal, Regan.

S. B. No. 82 was reported favorably by viva voce vote with the recommendation that it be printed.

S. B. No. 125 was reported favorably by viva voce vote with the recommendation that it be printed.

S. B. No. 135 was reported favorably by viva voce vote with the recommendation that it be not printed.

S. B. No. 146 was reported favorably by viva voce vote.

S. B. No. 187 was referred to a subcommittee.

W. S. REEVES, Secretary.

Minutes of Committee on Insurance Held February 5, 1935, Regular Meeting:

Present: Collie, Hughston, Cotten, DeBerry, Holbrook, Moore, Pace,

Poage, Rawlings, Shivers, Sulak,
Westerfeld, Woodruff.

S. B. No. 46 was reported favor-
ably by viva voce vote.

S. B. No. 47, with amendment, was
reported favorably by viva voce vote.

S. B. No. 147, with amendment,
was reported favorably by viva voce
vote.

S. B. No. 173 was reported favor-
ably by a viva voce vote.

BILL GEORGE, Secretary.

In Memory
of
Hon. Robert Jerry Randolph

Senate Resolution No. 36.

WHEREAS, The Hon. Robert Jerry Randolph, of Austin, Texas, was called to his eternal reward on the fourteenth day of December, 1934; and

WHEREAS, Mr. Randolph was a useful and patriotic citizen of this State, having served as Representative from the Counties of Madison, Leon, and Walker in the years 1903 and 1904, having served as Assistant Attorney General under General Dan Moody, and having served as Assistant Secretary of State under Mrs. Jane Y. McCallum; and

WHEREAS, His passing is deeply mourned by the Members of the Senate, and by the citizens of his District and State; now therefore, be it

RESOLVED by the Senate of Texas of the Forty-fourth Legislature, that the State of Texas has lost a useful citizen; and be it further

RESOLVED that we express to the immediate members of the family of the deceased our sincere sympathy and regret upon the passing of this distinguished citizen and that a copy of this resolution be mailed to the members of the family of the deceased and that when the Senate stands adjourned today, it do so in respect to the memory of the Hon. Robert Jerry Randolph.

BURNS,
BECK,
BLACKERT,
COLLIE,
COTTEN,
DAVIS,
DeBERRY,
DUGGAN,
FELLBAUM,
HILL,
HOLBROOK,

HOPKINS,
HORNSBY,
HUGHSTON,
MARTIN,
MOORE,
NEAL,
ONEAL,
PACE,
POAGE,
RAWLINGS,
REDDITT,

REGAN,
SANDERFORD,
SHIVERS,
SMALL,
STONE,
SULAK,
VAN ZANDT,
WESTERFELD,
WOODRUFF,
WOODUL, Lt. Gov.

Read and adopted by a rising vote.